



online

ORDINANCE NUMBER 2571

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS,
AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF FARMERS BRANCH, TEXAS, BY APPROVING A
SPECIFIC USE PERMIT TO ALLOW A NON-DRIVE-IN RESTAURANT
WITH AN OUTSIDE SALES WINDOW LOCATED AT 13455 MIDWAY
ROAD, GENERALLY AT THE NORTHWEST CORNER OF MIDWAY
ROAD AND MCEWEN ROAD, AND WITHIN THE PLANNED
DEVELOPMENT NUMBER 1 (O-LI) ZONING DISTRICT; PROVIDING
FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE
NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00)
DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter and Code of Ordinances of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair

hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow a non-drive-in restaurant with an outside sales window located at 13455 Midway Road and within the Planned Development No. 1 (O-LI) zoning district.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit and approval of an associated site plan for a non-drive-in restaurant with an outside sales window in accordance with the approved site plan attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 4. In addition to the approved site plan attached as "Exhibit A," the non-drive-in restaurant with an outside sales window shall comply with the following condition:

The placement of more than one sign on the south building elevation is subject to approval of a variance by the Zoning Board of Adjustment.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

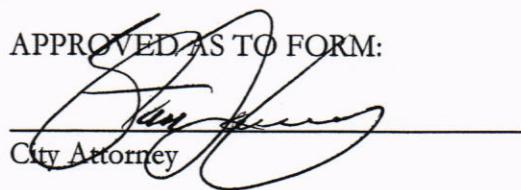
SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

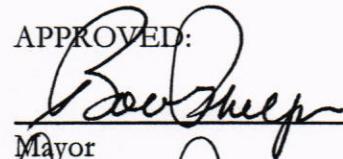
SECTION 8. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, on this the 6 day of November, 2000.

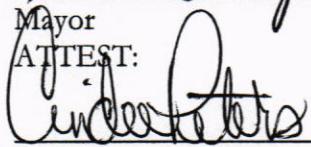
APPROVED AS TO FORM:

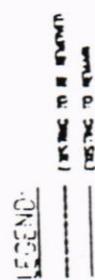

City Attorney

APPROVED:


Mayor

ATTEST:


City Secretary



DEMOLITION PLAN KEYNOTES

- ① REMOVE EXISTING ASH & GROUT, ETC / PREPARE FOR CONCRETE REPAIR & NEW LANDSCAPE.
- ② REMOVE EXISTING GAS WRT & CEMENT HOLES / PREPARE TO REAR OF BUILDING.
- ③ REMOVE EXHAUST ASPIRATOR / PATCH & REPAIR.
- ④ REMOVE SIDE WALL TO REAR.
- ⑤ REMOVE CLAP TO REAR.
- ⑥ REMOVE LANDSCAPE TO REAR / REAR & REPLACE EXISTING LANDSCAPE AS NEEDED.
- ⑦ REMOVE AND RELOCATE DRAINPIPE IN FLOOR, RE: 7/C-11.
- ⑧ REMOVE TRAFFIC.
- ⑨ REMOVE CLAP TO REAR.
- ⑩ REMOVE TRUCK DOOR OUT, PREPARE TO MATCH EXISTING DOOR, GUTTER, AND LANDSCAPE.
- ⑪ REMOVE EXHAUST SLEEVE.
- ⑫ REMOVE FIRE DEPARTMENT CONNECTION TO REAR OF BUILDING, RE: 7/C-11.
- ⑬ REMOVE CONCRETE DOOR PANS AS NEEDED PREPARE FOR RE-CONCRETE.
- ⑭ FIELD VARIOUS LOCATION OF DOMESTIC WATER WATER VALVE ADJUSTMENT TO PROPOSED DRIVE LINE.
- ⑮ NO NEED.
- ⑯ NO NEED.
- ⑰ NO NEED.
- ⑱ NO NEED.
- ⑲ NO NEED.
- ⑳ NO NEED.
- ㉑ NO CONCRETE PANS.

LEGEND



SITE PLAN KEYNOTES

- 1) MARK EXIST. SITE & REAR CONCRETE PAVING LOT.
- 2) NEW TRAFFIC SWEEP OF THE SIDEWALK, WHICH IS REQUIRED.
- 3) NEW TRAFFIC SWEEP AT THE SIDEWALK, WHICH IS REQUIRED.
- 4) NEW CONCRETE DRIVE RE: 7/C-12.
- 5) NEW CONCRETE & NEW LOCATION OF GAS LINE & GUTTER SURFACE DRIVING DRIPPER BBOX, AS SHOWN EXISTING IN 7/C-11. SPUR FACE BLOCK, COLOR TO MATCH EXISTING BASIC.
- 6) NEW SIDEWALK CONCRETE, WHICH IS THE ONLY SIDEWALK CONCRETE SMALL PAVING AND RETAIL, INC. SHOWN IN 7/C-11, WHICH IS RE: 7/C-12.
- 7) NEW SIDEWALK LANDSCAPE & RETAIL CONCRETE SITE.
- 8) NEW SIDEWALK CONCRETE, AND THE SIDEWALK CONCRETE ADJACENT TO EXISTING SIDEWALK, WHICH IS SHOWN IN 7/C-12.
- 9) NEW SIDEWALK CONCRETE, WHICH IS REQUIRED, WHICH IS SHOWN IN 7/C-12.
- 10) NEW SIDEWALK CONCRETE, WHICH IS REQUIRED, WHICH IS SHOWN IN 7/C-12.
- 11) NEW SIDEWALK RE: 7/C-11 AND 7/C-12.
- 12) NEW SIDEWALK TO MATCH TRAFFIC SWEEP / FROM TRAFFIC SWEEP.
- 13) NEW SIDEWALK AT DRIVE LINE.
- 14) REMOVE EXISTING CONCRETE WALL PANS & SET LIGHTING AS NEEDED.
- 15) REMOVE TRAFFIC & SIDEWALK RETAIL SURFACES.
- 16) REMOVE 20' CRASH OF 7/C-11 SIDEWALK, SWEEP OF 7/C-11 SIDEWALK & GUTTER TO MATCH EXISTING & COLOR TO MATCH SIDEWALK.
- 17) NEW CONCRETE SIDEWALK, LANDSCAPING & GUTTER TO MATCH EXISTING & COLOR TO MATCH SIDEWALK.
- 18) ELECTRICAL CONTRACTOR TO PROVIDE UP TO THREE STEEL CONDUIT STRUNG UP AT THE EXISTING POST LOCATIONS AND EXTENDED TO COVER THE APPROXIMATE AREA OF THE LOCATION FOR CONCRETE SIDEWALK AND SIDEWALL CONCRETE PANS. CONCRETE SIDEWALL AND SIDEWALL CONCRETE SUPPLIED ON SITE.
- 19) NEW CONCRETE SIDEWALK AND SIDEWALL FOR POWER TO SIDEWALK AND A SEPARATE SIDEWALL FOR CONCRETE SIDEWALL WITH FULL CONDUIT FOR CONCRETE PANS. CONCRETE SIDEWALL CONCRETE SUPPLIED ON SITE.
- 20) NO CONCRETE PANS.
- ㉑ NEW SIDEWALK CONCRETE (6' TALL @ 4' MATURED).

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- ㉑ NEW SIDEWALK CONCRETE (6' TALL @ 4' MATURED).

LANDSCAPING SURVEY

Existing Landscaping to remain	Total Site Area	5,700 s.f.
All existing and proposed 1 BERM's	Landscape %	10.0%
	Total Site Area	5,700 s.f.
	Landscape Area as % of Site Area	595 s.f.
	Landscape Area Adjacent to Main Total Area Distribution Data	595 s.f. of Area
	Landscape Area	Total Area Adjacent to Main Total Area Distribution Data
	595 s.f. of Area	595 s.f. of Area

OUTSIDE SITE

DEMOLITION GENERAL NOTES: RE: SHT. A-1.1

- [22] NO DUST OR SPARKS PROHIBITED AND SHOT TO BE PROHIBITED AND REGULATED BY SHOT CONTRACTOR
RE: AC-12
- [23] NO ONE MAY WORK ALONG DRIVING AT ROAD TO BE PREVENTED.
- [24] NO ONE MAY WORK ALONE DURING AT PROHIBITION AREA DISTANCE
- [25] NO ONE TO FIRE EXPLOSIVES CONNECTION

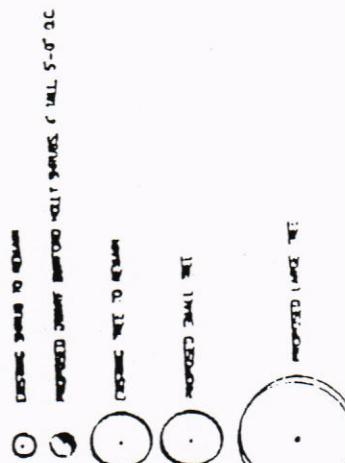
McEWEN

N 05d42'38" W
20.10'

SITE SUMMARY:

PROJECT DESCRIPTION: SHOT HOLE TO GO & DRIVE THRU - (DISTANCE LINES)
STRUCTURE TYPE: PLAZA (DEVELOPMENT ONE)
CONSTRUCTION TYPE: CONCRETE (NO CHAMFER)
BUILDING DIMENSIONS: 11,500 SF - ONE STORY (HEIGHT 15'-0")
SF: 11,500 SF / 270 Holes (10'x10' Holes)
Holes in Area Hand Part: 175 (Plaza) 135 (Porch Row Line)
EXISTING PARKING SPACES: 175 SPACES (10'x10' LINES)
EXISTING PARKING SPACES (10'x10' LINES - 300 SEATS)
PROPOSED PARKING SPACES: 143 SPACES

LEGEND:



Landscape Outlines

Existing Trees: NO 5'-10' CIRCLES
Small Tree: 3'-6" Diameter-trunk 15 to 20' tall or higher
Large Tree: 6'-8" to 4' Diameter

S 32d55'54" W
.4-.25

(S 32d55'54" N:
.1C 20)

PROPERTY LINE
RIGHT OF WAY PARCEL SWI



EXHIBIT "A"
PAGE 2 OF 12

3E



EMBREE GROUP

CONSTRUCTION

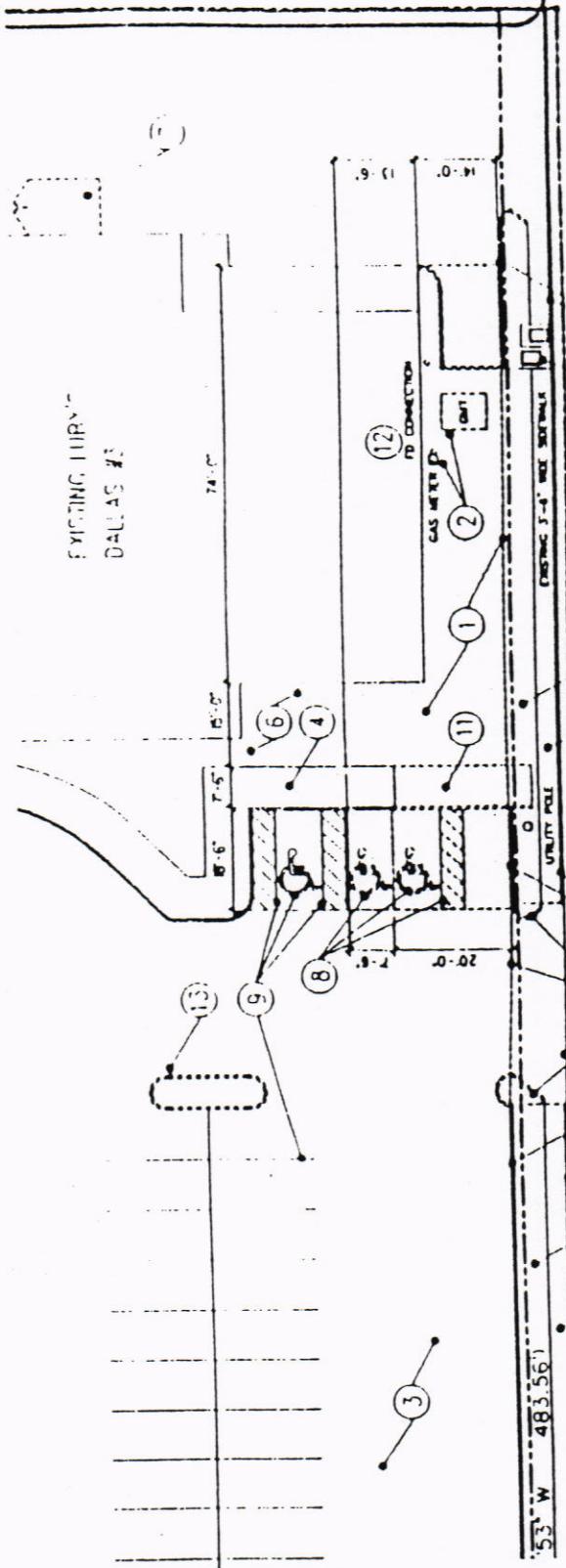
PH (512) 869-2626 FAX (512) 869-3442
808 AMPORT ROAD GEORGETOWN TEXAS 78628



3455 MIDWAY Road
H-E-B Inc., TX 75244

H-E-B

(N 89d47.21' E) S 90d00.00'E 29d49.7'
(10.03)



I/C-1-1 SITE PLAN - DEMOLITION

SCALE: 1"=20'-0"

MIDWAY ROAD

Proposed Landscaping
Evergreen Shrubs adjacent to Midway Road: (one or more of the following)
Desert Buried Holly (Blue cornice burfordi variegata) 7'-10' to 14'-16' H x 3'-6' W
Monk's (Monnieria aristatum) 7'-10' H x 4'-6' W
Bamboo (Chimonobambusa) 7'-10' H x 3'-6' W
Small Trees adjacent to Midway Road and in Planting Lot: (one or more of the following)
Tulip Poplar (Liriodendron tulipifera) 15 to 20' H x 6' W
New Leaf Ligustrum (Ligustrum lucidum or pumilum)
15 to 20' H x 6' W
Ornate Myrtle (Ligustrum ovalifolium variegata) 15 to 20' H x 6' W
Planting Lot: (one or more of the following)
Line Oak (Quercus virginiana) 7' to 4' diameter
Red Oak (Quercus rubra) 7' to 4' diameter
Burke Oak (Quercus falcata varimaculata) 3' to 4' diameter

Large Trees (one or more of the following)
Line Oak (Quercus virginiana) 7' to 4' diameter
Red Oak (Quercus rubra) 7' to 4' diameter
Burke Oak (Quercus falcata varimaculata) 3' to 4' diameter

ROW
d ROW 6,702 s.f.
338 10 s.f.
Approx. 870 s.f.

ROW
d ROW 28,560 s.f.
1,479 50 s.f.
Approx. 2,598 s.f.

ROW
d ROW 42 trees
17 trees
26 trees

137-16 137-16
(2) EXISTING OAKS
8. RED OAKS

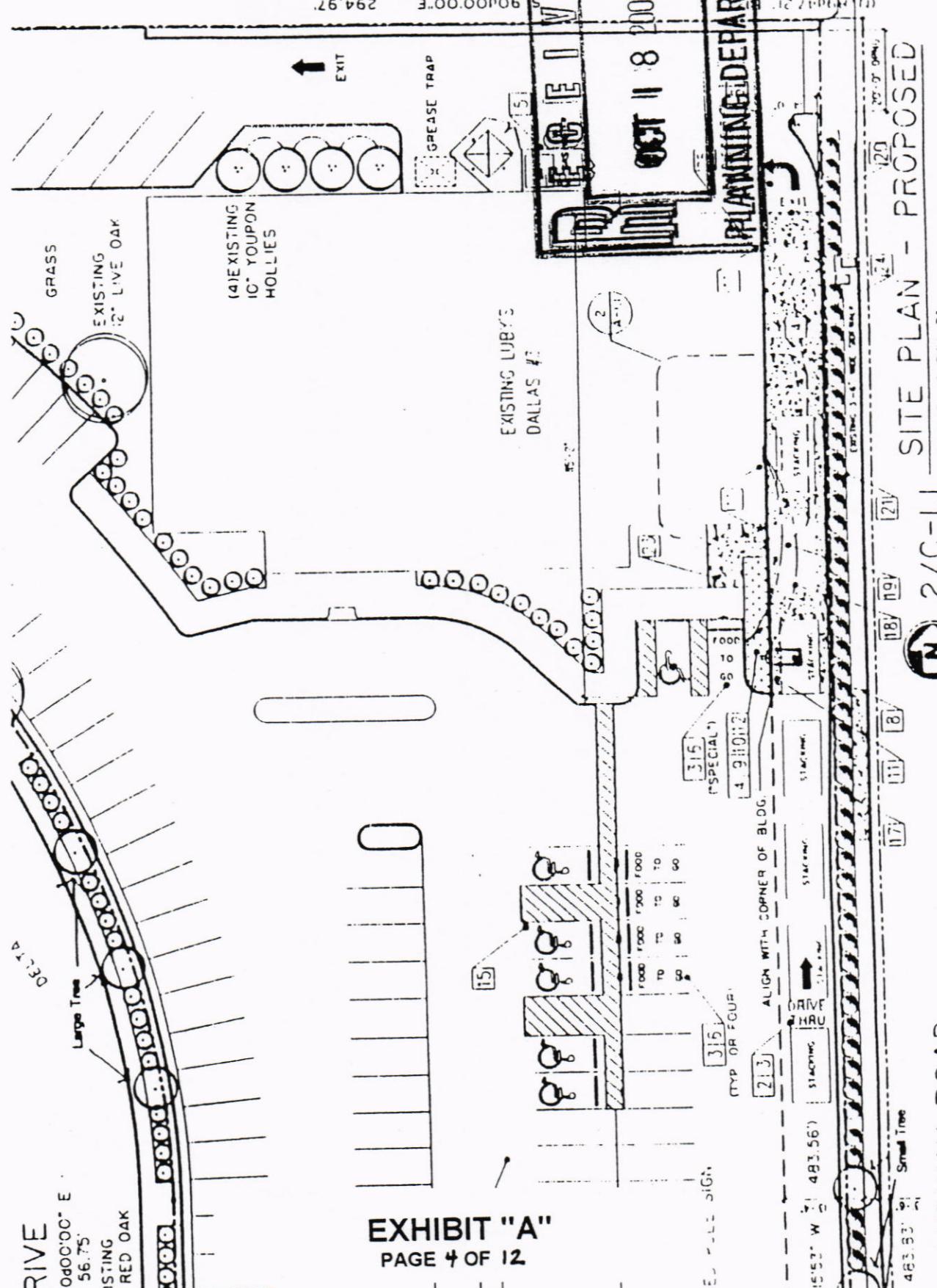
137-16 137-16
(2) EXISTING OAKS
8. RED OAKS

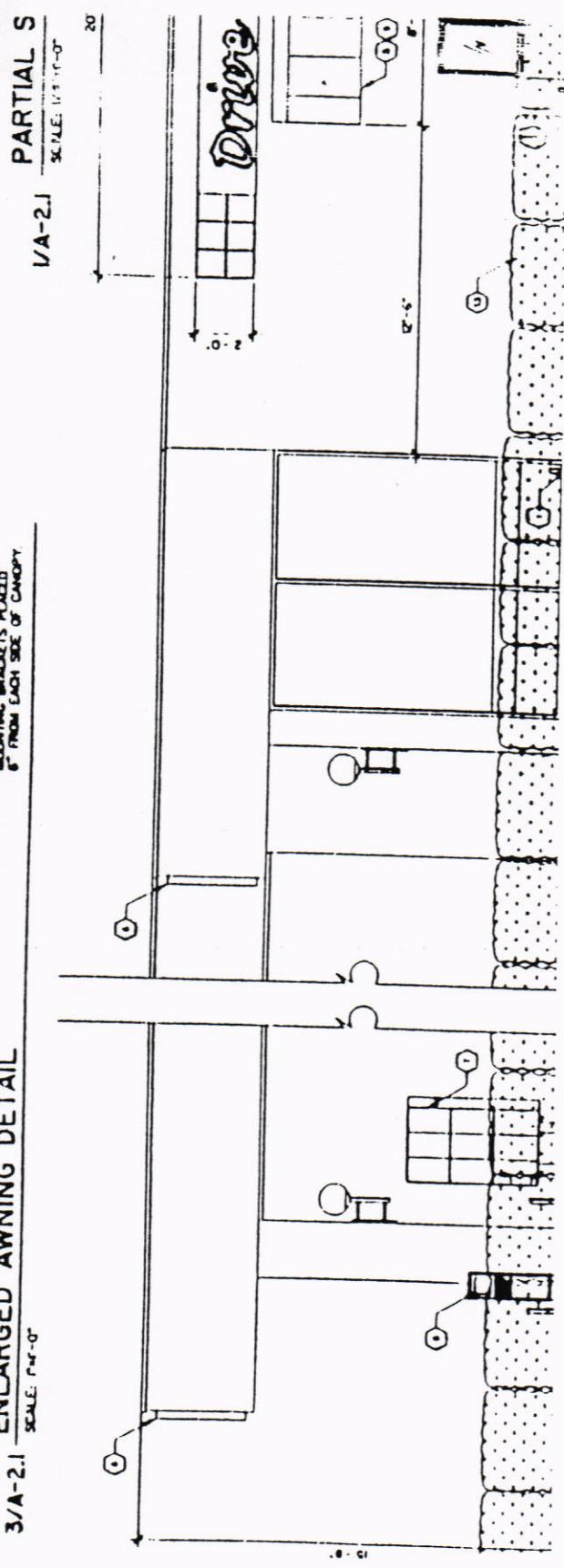
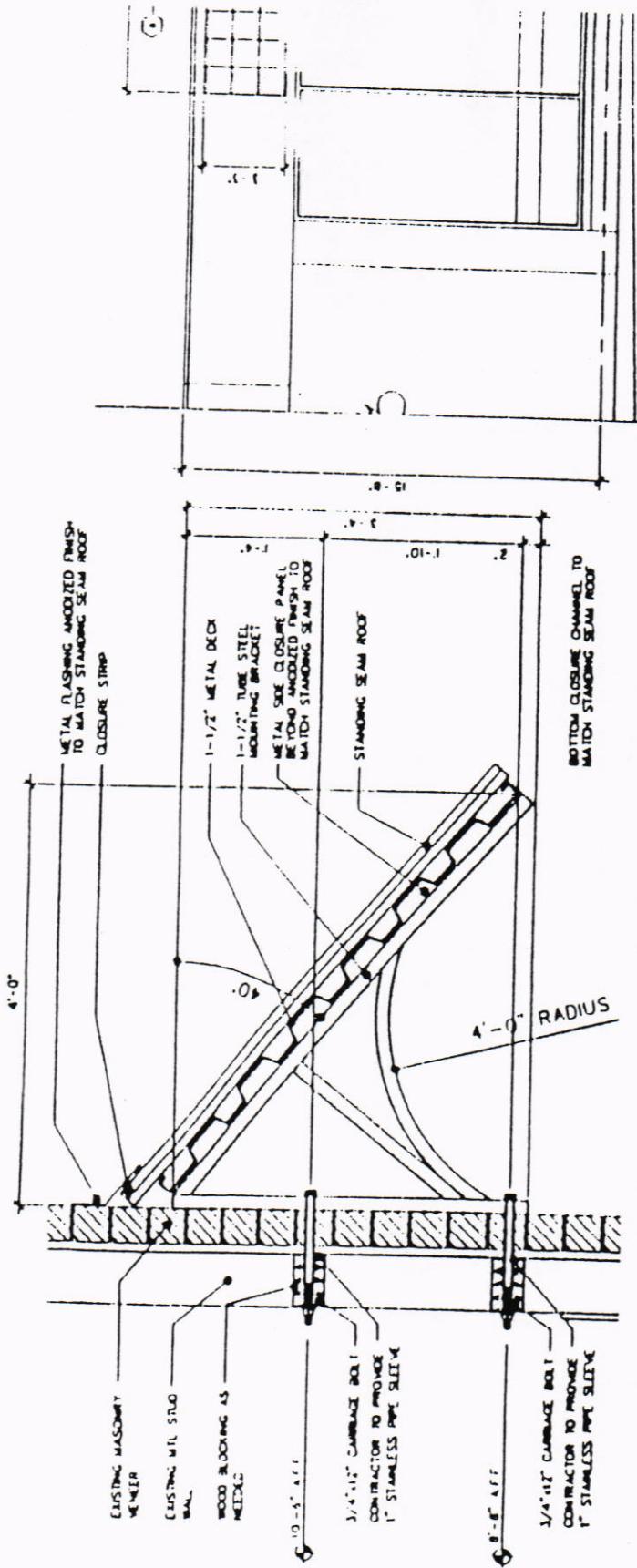
N OF OPERATION
n 7 days a week

3F

EXHIBIT "A"
PAGE 3 OF 12

DRAFTS = 3		
DATE ISSUED 5-2-90		
REVISIONS 0		
S. 90000.00 E 294.97.		







EAST ELEVATION

2/A-2.1 Scale: 1/4" = 1'-0"



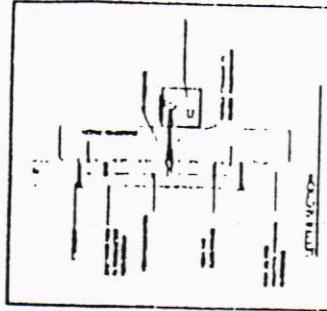
Luby's



Luby's To Go!

8'-10"
11'-0"
11'-0"

A	B	C	7'-11"
27'	30'	7'-3"	19'
24'	34'	6'-3"	22'
27'	36'	9'-3.5"	29'
25'	41'	10'-3"	24'
26'	51'	12'-6"	22'
45'	60'	6'-3"	31'



ELEVATION

Bottom 7'-4.5"
Louver - Plastic case and 14x7' from 8'-6x62' case and
FC276 Return
TBSCF - Standard Channel lettercase - 5' wide
White pvc located with vinyl overlay - Jim 3630-1 signs
Screws case and Jim 3630-25 Shutterbox yellow
Frontcase 7'-2"

Return to interior Jim 3630-3 Light "Lumen" case
White case
Total - 5x5 Case front return case.

SIGN SUMMARY

- One Existing Detached Drive Sign Advertisements 200 s/f in area and appropriate 30 feet in height
- One Attached Sign Luby's To Go" facing south Sign area approx 25 s/f with one direction
- One Attached Sign Luby's To Go" facing south Sign area approx 15 s/f with one direction
- One Attached Sign Drive-Thru facing east Sign area approx 24 s/f with one direction
- One Menu Board Approx area 22 s/f height 4.5 feet
- One Directional Signs (No name or advertising) 10' "Do Not Enter" Left Turn Only approx 6 feet in height Sign area 15 s/f



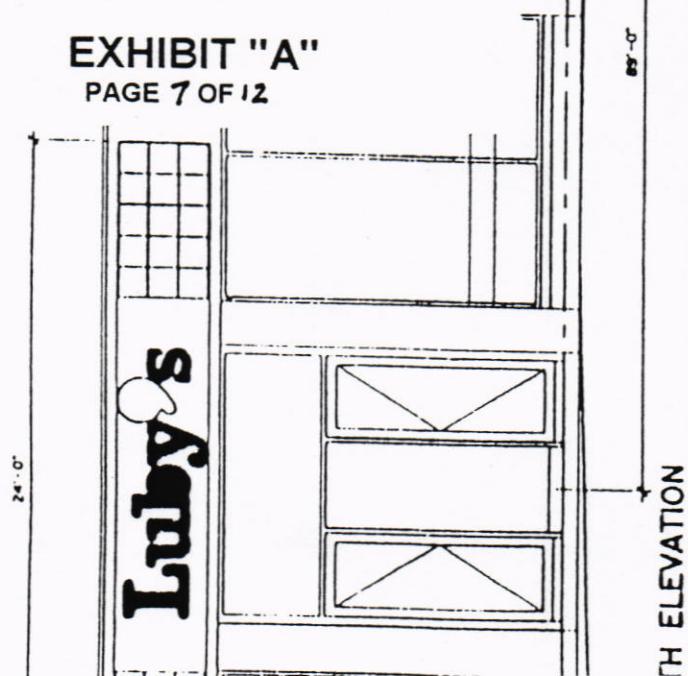
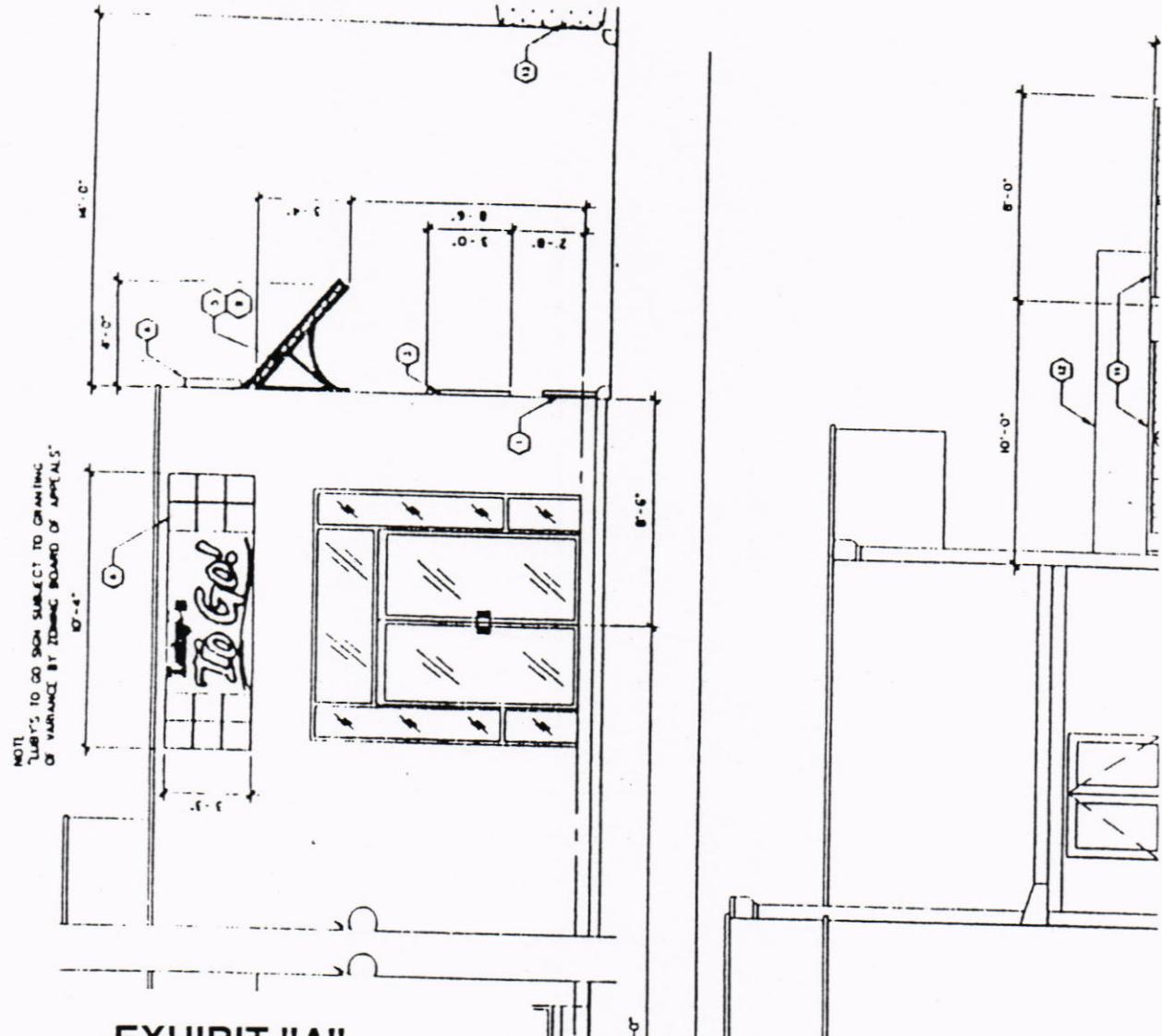
4000 AMBROSE ROAD DECOMMISSION TEXAS 76022
TEL (912) 865-2826 FAX (912) 865-3447



4000 AMBROSE ROAD DECOMMISSION TEXAS 76022
TEL (912) 865-2826 FAX (912) 865-3447

4000 AMBROSE ROAD DECOMMISSION TEXAS 76022
TEL (912) 865-2826 FAX (912) 865-3447

EMBREE GROUP
STRUCTURE



ELEVATION

Luby's

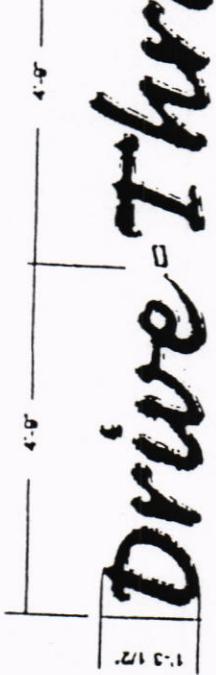
3J



EXTERIOR ELEVATION KEYNOTES

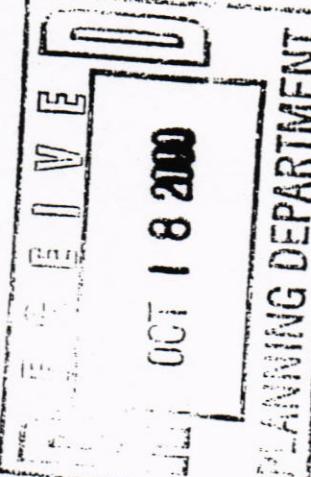
Concrete Block type indicated No 7A-11 (1) units 50MM BLANK
unit size

Reinforced Concrete Beam 100' width by 4'LL wide at 7'-0" A/F to bottom
unit size



ELEVATION
Section 301-10

20' 0" - Standard Channel section 5' x 6'
Width min base with single channel - 30 50-0-0 up:
Channel base and 30 50-0-0 Surface plate
Thickness 7' 6"
Extrusion to section 30 50-0-0 Surface plate
Width min
Base 50' Curb Curb min base



DRIVE THRU

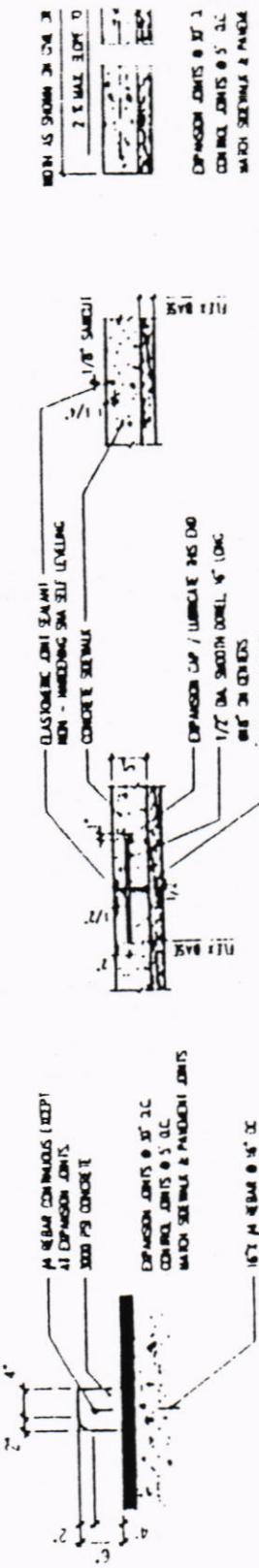
EXTENDED CP WALL FIN'S- SCHEDULE 1

ELEVATIONS
Section 301-10

ELEVATIONS
Section 301-10

ELEVATIONS
Section 301-10

A-2-1



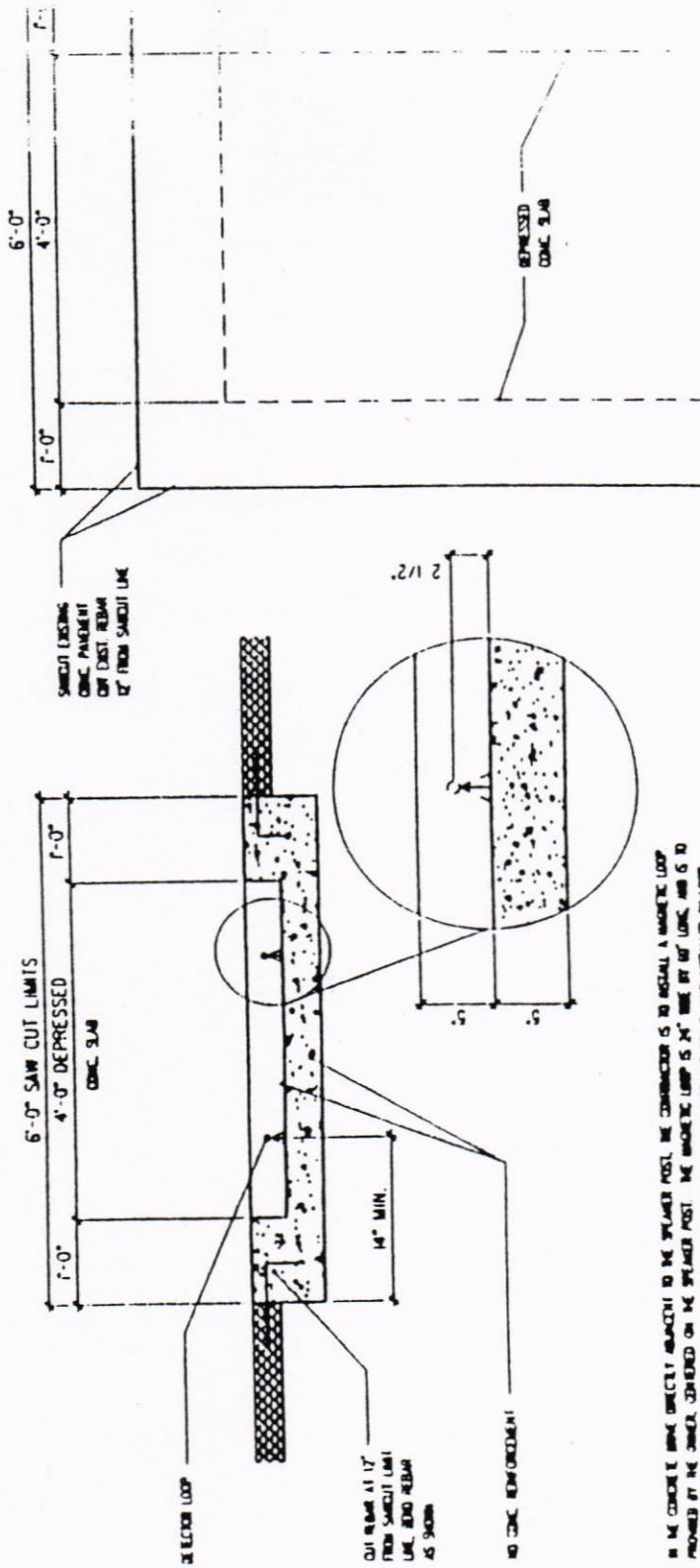
3/C-1.2 CONCRETE CURB DETAIL

SCALE: 3/4"=1'-0"

4/C-1.2 SIDEWALK EXPANSION & CONTROL JOINTS

SCALE: 3/4"=1'-0"

EXHIBIT "A"
PAGE 1 OF 12

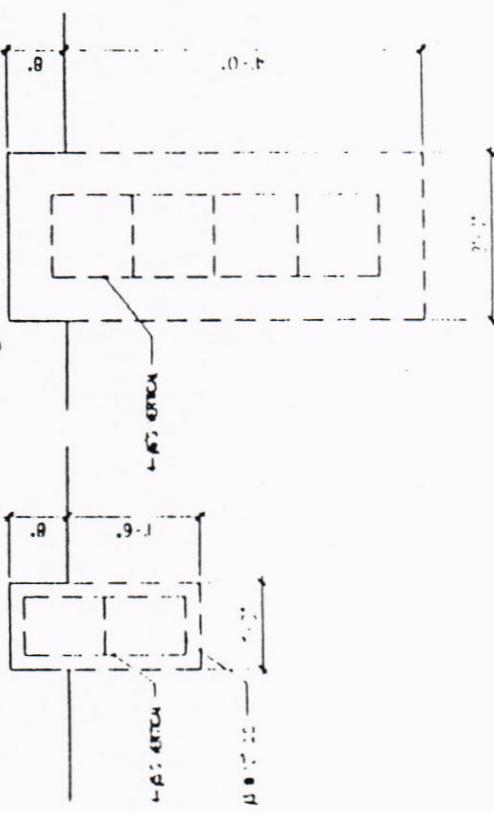


IF THE GROUT IS NOT COMPLETELY ADHERED TO THE SPACER POST, THE CONTRACTOR IS TO REINSTALL A MINIMUM OF 12" OF THE GROUT, OR BASED ON THE SPACER POST, THE SPACER LENGTH IS 24" INSTEAD OF 12", AND GROUT PROVIDED BY THE OWNER, OR BASED ON THE SPACER POST, THE SPACER LENGTH IS 24" INSTEAD OF 12", AND GROUT PROVIDED BY THE OWNER.

Dimensions of the magnetic loop in no case shall be greater than the magnetic loop and reinforcement
in less than 17' the contractor shall install the magnetic loop provided by the owner, including the
concrete base, in 17' circuit, installed between the magnetic loop and the speaker base. The 17'
circuit contains the wires from the magnetic loop small enough to fit over the top of the concrete base
provided for the speaker. The contractor shall install an unreinforced concrete topping over the 17' by 7'
 depressed area containing the magnetic loop assumed above so that the finish surface will be a
 continuation of the same grades and texture as the adjacent zone, otherwise with electric plugs and
 receptacles.

8/C-1.2 DEPRESSED CONCRETE SLAB DETAIL

SCALE: 3/4" = 1'-0"



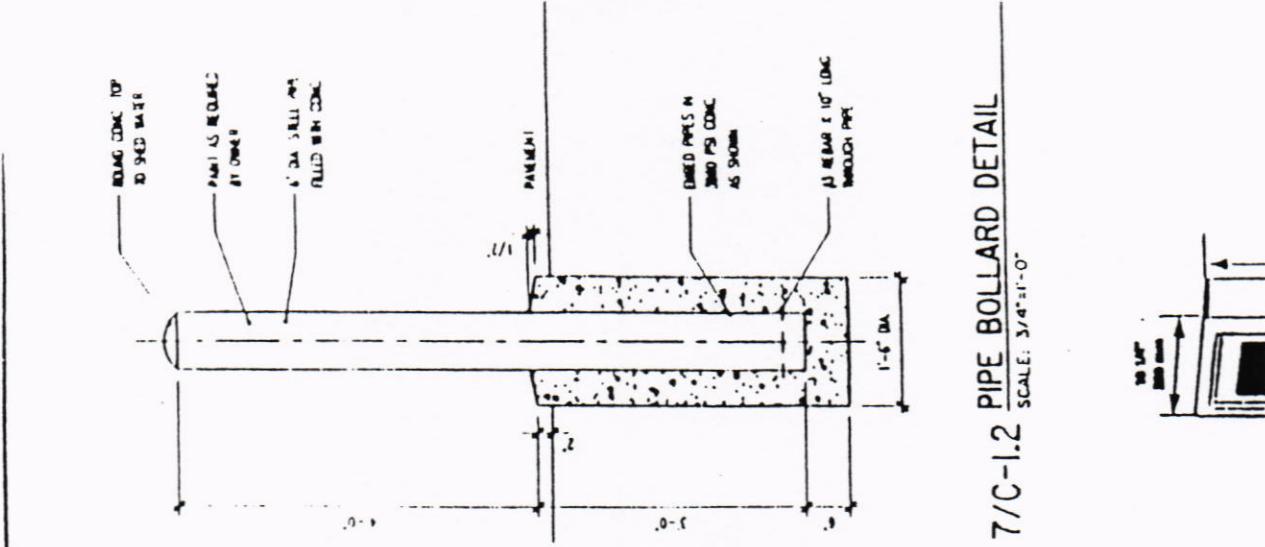
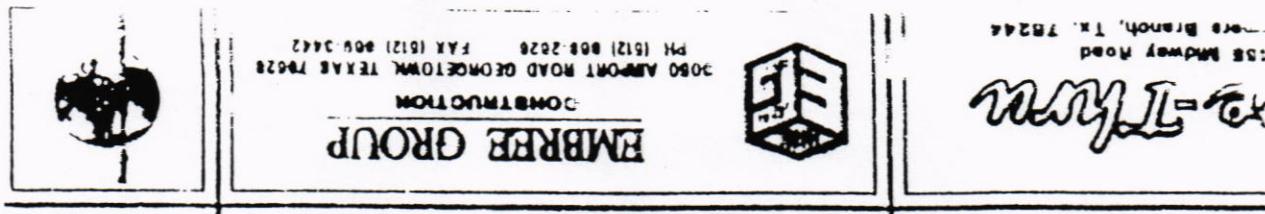
BILL OF MATERIALS:
10' x 12' x .8" CONCRETE
1/2" CONCRETE BASE
1/2" REINFORCEMENT



BILL OF MATERIALS:
10' x 12' x .8" CONCRETE
1/2" CONCRETE BASE
1/2" REINFORCEMENT

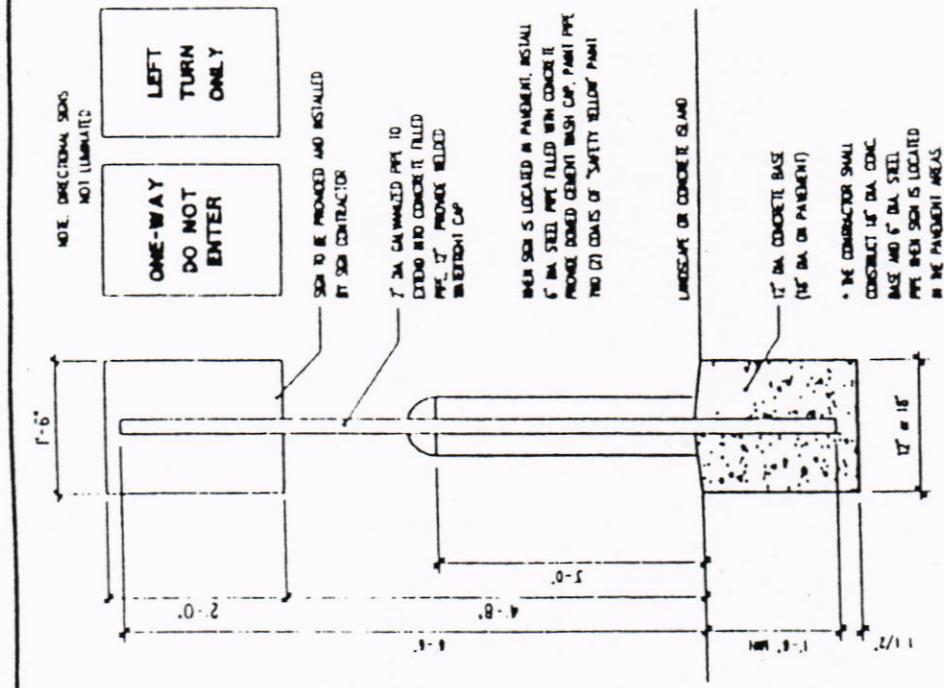
9/C-1.2 SPEAKER & MENU BOARD FOUNDATION

SCALE: 3/4" = 1'-0"



7/C-1.2 PIPE BOLLARD DETAIL

SCALE: 3/4"=1'-0"



6/C-1.2 SIGN DETAIL

SCALE: 3/4"=1'-0"

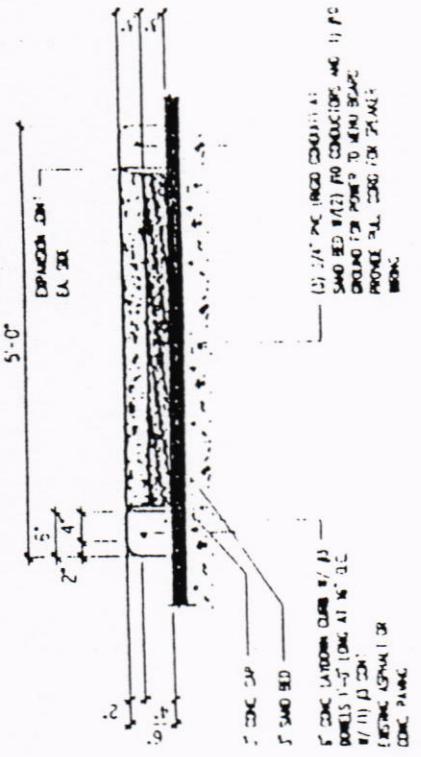
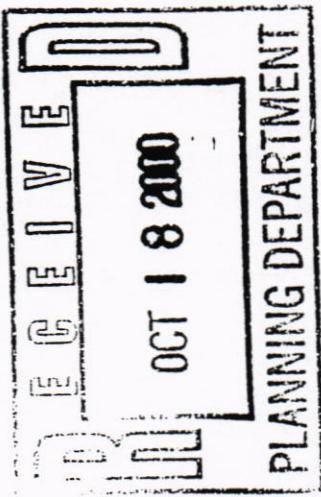
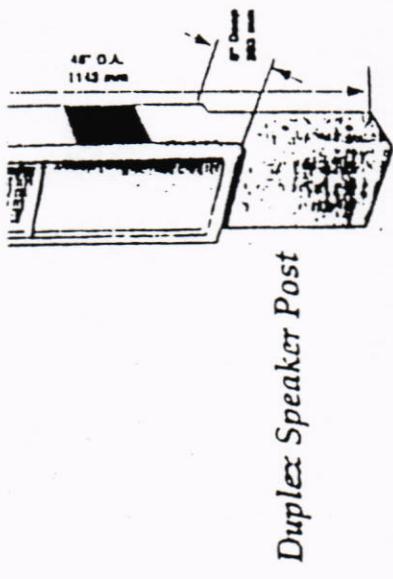
MENU BOARD



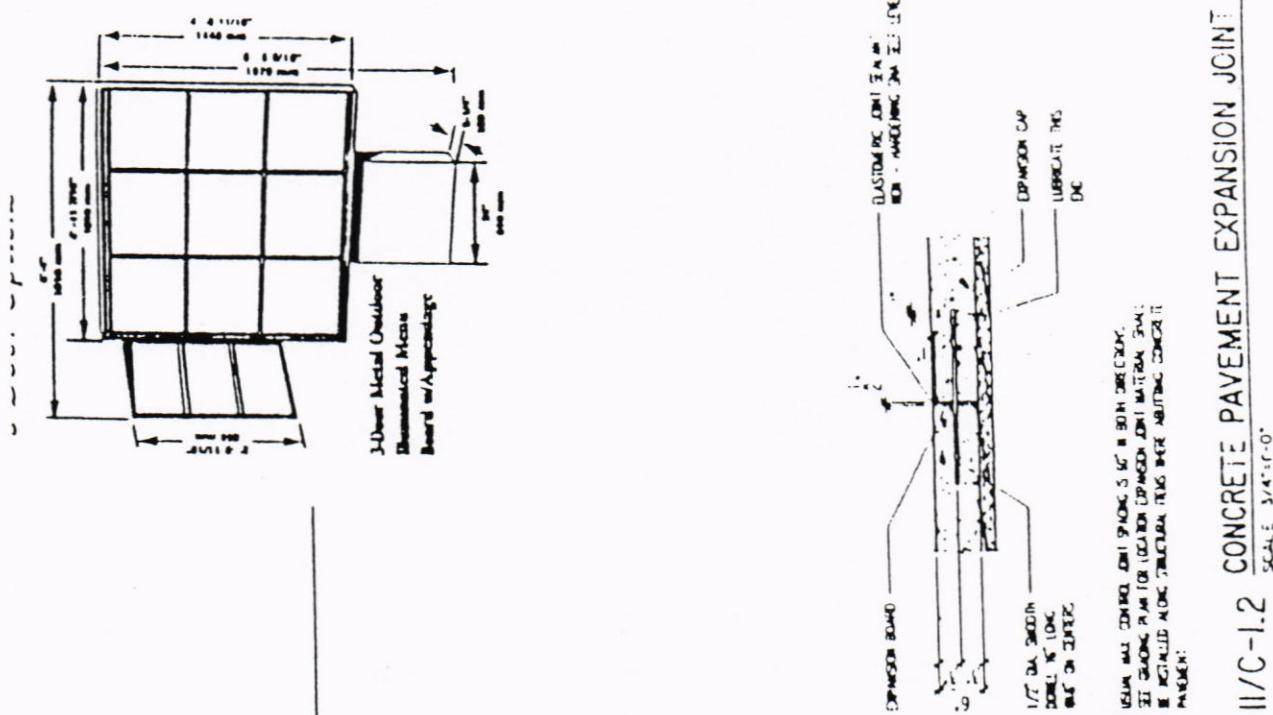
EXHIBIT "A"
PAGE 11 OF 12



<i>7050</i>	Drafts No.
RECEIVED	
OCT 18 2000	
PLANNING DEPARTMENT	
DRAFTS	
REVISIONS	
DATE ISSUED	DATE
ISSUED	BY
STD. SITE DETAILS	
B-005 - NO	



(1) 1/4" I.D. (OD 1/2") PVC EXPANSION JOINT
SHEDDED IN 1/2" PVC CONDUIT AND 1/2" PVC
GROUND FOR POWER TO MINI BEACON
PHONE, FULL SIZE FOR 24-AWG
WIRING



I/C-1.2 CONCRETE PAVEMENT EXPANSION JOINT
SCALE 3/4"=1'-0"

I2/C-1.2 TYPICAL CONCRETE ISLAND DETAIL
SCALE 3/4"=1'-0"

EXHIBIT "A"

C-1.2